

**MILWAUKIE CITY COUNCIL
WORK SESSION
JANUARY 9, 1996**

Board and Commission Review Project

Mayor Lomnicki opened the work session at 6:05 p.m. in the Milwaukie Public Safety Building Community Room. Councilmembers Schreiber, Kappa, and Trotter were present, and Councilmember Farley was absent.

Staff present: Dan Bartlett, City Manager, and Charlene Richards, Assistant to the City Manager.

Bartlett reviewed what had been done on the project to date. Draft ordinances and research information were included in the packet. The purpose of this work session was to review the draft ordinances and discuss upcoming meeting opportunities with the boards and commissions.

Bartlett reviewed the research portion of the staff report:

- City Council asked if the Historic Review Commission qualified as a commission. There are times when Historic Review Commission decisions clearly bypass the Planning Commission and in some cases goes directly to the City Council. The section on staff assignment was deleted because it conflicted with the City Charter.
- Councilmember Schreiber asked if there needed to be reference to branch potential branch libraries in the ordinance. His research indicated the City designates a city library according to ORS that includes all service locations.
- Councilmember Trotter asked if the City Council could establish its own appointment date for the Library Board. He found that the City could specify some other method if specified in the charter, ordinance, or resolution that established the board.
- His research also indicated that the State has renamed its advisory group to Transportation Safety Committee, and he recommended a similar name change that included the broader duties of transportation project planning.

Councilmember Kappa asked if changing the name of the Traffic Safety Commission gave it a different connotation.

Bartlett said transportation safety looks at all modes which also includes rail. He felt it functioned more as a board than a commission.

Councilmember Kappa said he would like to resolve the board vs. commission questions.

Mayor Lomnicki said a commission has the authority to make decisions that are binding on the City, and boards act in an advisory capacity. The Planning Commission and Historic Review Commission are granted powers to make decisions without City Council intervention. The decisions made by these groups, however, may be appealed to the City Council.

Councilmember Kappa suggested a definition in the general ordinance.

Councilmember Kappa asked about the applicability of Goal 5 to the Historic Review Commission.

Bartlett said Goal 5 responsibilities are basically with the Planning Commission. He did not believe the Historic Review Commission had any part in it. Goal 5 is a land use process through the Comprehensive Plan and Zoning Ordinance to designate areas unacceptable for development. It is not designed, with the possible exception of Indian burial grounds, to protect historic areas.

Councilmember Trotter said he believed the Budget Committee and the Board of Construction Appeals should each have an ordinance drafted similar to the Historic Review Commission.

Councilmember Schreiber said to be consistent any ORS references should be included in 2.10.010. She recommended that “boards” and “commissions” should be defined in the general ordinance. “Boards” are an advisory group, and “commissions” make decisions that can be appealed.

The group discussed the need for defining these terms in the general ordinance. **Mayor Lomnicki** suggested that definitions be included for clarification in the event more boards and commissions are added.

The group directed staff to prepare language defining the two terms.

Councilmember Kappa said the language in 2.10.020.D may lead potential applicants to think that they need special expertise to participate. He recommended deleting the word “special” so the sentence would read “should be given consideration.”

The group agreed to delete section 2.10.020.D.

Councilmember Kappa thought section “K” should be revised to define a conflict of interest.

Councilmember Trotter said for section "L" to be consistent with the City Charter, it should read "vacancies are filled by appointment of the Mayor with the consent of the Council." **Mayor Lomnicki** agreed that the language should be changed.

Councilmember Kappa expressed concern that appointments were held up because of perceived problems on certain boards and commissions, and he wanted a way to resolve this in the future.

Councilmember Schreiber said City Council needs to be more on top of what is going on in the operation of the boards and commissions.

Councilmember Trotter said he hoped these problems would be eliminated when the review project was complete. He added that he did not feel this was something that should be in the ordinance.

Councilmember Kappa said he was concerned because some people perceived this project was undertaken for personal reasons. **Mayor Lomnicki** pointed out that these were political appointments.

Councilmember Kappa agreed that these things do take place, but the key point was the City Council was not on top of it.

Councilmember Schreiber said roles and responsibilities will be more clear when the review project is complete.

Councilmember Schreiber said she had problems with section 2.10.030 -- Removal. **Bartlett** responded that this language was from the City's Personnel Manual, and this is the first time cause has been addressed in a board and commission ordinance. He added that committees have violated the Public Meetings Law, but the City Council had no way to address the problem. This section addressed the individual, not the family.

Councilmember Kappa agreed with Councilmember Schreiber because the section was open to interpretation.

Bartlett said he believed these were straightforward issues.

Mayor Lomnicki asked if City Council could remove at will. **Bartlett** said appointed members can only be removed for cause.

Councilmember Trotter said that means the City Council has to have a justifiable cause, such as listed here.

Richards said she felt 2.10.030.E might create liberty and defamation issues. She suggested stating who makes the determination.

Councilmember Trotter suggested eliminating “E” because he thought it was covered in “J.” **Richards** commented that “J” refers to convictions.

Richards said this language is from the Personnel Rules. The City takes some precautions with employees to ensure there is no defamation.

Mayor Lomnicki asked if the Police Department could be called if one of the commissioners is at a public meeting and suspected of being intoxicated.

Bartlett said he believed the board and commission members should uphold the same standards as employees. Each board and commission is staffed by a supervisory person who knows how to deal with these issues. He said the staff person can discuss his observations with the Chair. City Council would have to consider the information in executive session.

Richards added that it was important to define who can do what.

Councilmember Kappa said certain prescription drugs may give the appearance that a person is under the influence of alcohol. He was also concerned about disagreements and personal issues being involved.

Councilmember Trotter said that type of conflict would indicate a problem about which the City Council must do something. This would give the City Council an opportunity to discuss the issue in executive session.

Mayor Lomnicki said the person about whom there is a question could be called in and have a discussion to look for a solution to the problem.

Bartlett said there have been situations and problems that need to be addressed.

Councilmember Trotter agreed that in the past there were problems that did not have a policy to address the situation.

Councilmember Kappa said he had a real concern about a board member complaining about a staff person.

Councilmember Schreiber suggested that section 2.10.030 could say that these discussions will occur only in executive session.

Councilmember Trotter suggested reviewing that section with each advisory group.

Councilmember Schreiber said she had a problem with accusing someone of an illegal act, particularly “E”.

Bartlett said the City Attorney's office will review all of the draft ordinances before they come to Council.

Mayor Lomnicki said he believed something was needed as a guideline for conduct and proper procedure. Handle it like an employer/employee relationship.

Richards said, as an employer, the City has the responsibility to staff that they are not discriminated against or harassed.

Councilmember Kappa said he wanted the system to be user friendly and not prohibit people from applying for positions.

Bartlett said he would take particular care to call this section to the city attorney's attention during review.

Mayor Lomnicki said he felt board and commission applicants should know the City's policy.

Bartlett said it was important to have members understand what their conduct should be.

Councilmember Trotter suggested adding to 2.10.040.B that "the chairperson shall be responsible to provide orientation for all new members and make training available for all members of the board or commission." He felt this should be the responsibility of the Chair with assistance from the staff. This would make it clear that training is ongoing. Training could be in-house so there would not be the additional expense of going outside the organization.

Councilmember Kappa said he was concerned that people would feel forced to go to training even if there were not funds available.

Bartlett said he felt he had the intent of these statements.

The group agreed to delete the last sentence of 2.10.040.B

Councilmember Trotter and **Bartlett** discussed the appointment of subcommittees -- for example, the Sign Committee and the Tree Commission. City Council appointed members to the Tree Commission.

Mayor Lomnicki asked if the City Council would allow the board and commissions to appoint people to work on special projects. He used the example of the Sign Committee which was appointed as a task force to walk the downtown streets. What if members exhibited rude behavior in the course of their project?

Councilmember Trotter said City Council will approve the work plan in which a committee states that it will do a certain project. City Council will give the committee the flexibility to perform the task and seek additional help if needed. He felt this aspect could be addressed when the City Council meets with the individual boards and commissions.

Mayor Lomnicki asked, if committees felt they needed an ad hoc group, would City Council approval be needed.

Councilmember Trotter said he felt this could be considered on an individual basis, but there does need to be some designation.

Mayor Lomnicki said the City Council would have to agree that a certain task must be accomplished and also agree with the formation of an ad hoc committee to carry out that task.

Councilmember Trotter said, if a board or commission feels it needs an ad hoc committee, it must be able to communicate to City Council who is going to be a member.

Mayor Lomnicki recommended changing 2.10.040.B from "consent of all the members" to "consent of a majority of the members."

Councilmember Kappa said he had a concern in 2.10.040.C that a board or commission might not be able to develop a plan that is consistent with the city's vision and council goals.

Councilmember Trotter said bylaws are procedural and have nothing to do with the vision and goals.

Councilmember Kappa recommended in the last sentence of 2.10.040.C that "adopted" be changed to "accepted."

Councilmember Trotter suggested adding to 2.10.040.D "discussed with and approved by City Council in a joint work session." He suggested a dialogue instead of simply a City Council review.

Councilmember Kappa suggested adding to 2.10.040.D a work plan which will "have elements of the city vision and council goals."

Mayor Lomnicki said this movement toward goals and a vision would be part of the action plan.

Councilmember Schreiber discussed 2.10.040.E. If the boards and commissions are expending funds, the money is coming out of the departmental budget and is none of the City Council's concern.

Bartlett said this refers to additional expertise that might be an excessive expense out of a department's budget. He understood from the minutes that this should apply to all boards and commissions, and City Council should approve the expenses for any necessary expertise.

Mayor Lomnicki said this would indicate that if staff told a board or commission funds were not available in the departmental budget, then it could come to the City Council for the additional funds.

Councilmember Schreiber said she did not want City Council to be caught in the middle.

Bartlett said, if there is a need, funds can be moved into a budget to implement that need. He used the example of the Historic Review Commission's use of McKeever Morris in preparing its inventory.

Bartlett suggested including language that referred to City Council's approving unbudgeted expenses for professional expertise.

Richards discussed the authority to bind and the handling of operational expenses.

The group agreed to delete the last sentence of section 2.10.040.E -- "Council shall approve the expense for any additional expertise."

Citizens Utility Board

Councilmember Kappa suggested adding to section 2.11.010 A. "and/or public works functions involving but not limited to roads." He said if there was a review of a roads franchise, it should be done by the CUAC.

Bartlett said section 2.11.010.B includes any future rate structures that the City Council directs them to act upon.

Councilmember Kappa said, if the CUAC wants to work on a road utility, it would go into the work plan for City Council acceptance.

Bartlett said section 2.11.010.B allows some flexibility to those utilities which might be added in the future. It gives us a broad capacity for the board to come up with a work plan process.

Councilmember Kappa proposed adding a new section 2.11.010.E referring to the CUAC conducting public hearings to gather information on rate and utility matters with wide public input.

Mayor Lomnicki said the CUAC meetings are open meetings and are advertised as much as possible.

Bartlett reviewed the storm water utility and the amount of notification and advertisement for input on that utility rate. After extensive notification, only about 20 people showed up for the meetings. Those who understood the process realized that the City Council, rather than the CUAC, would make the actual decision on implementation of the rate.

Mayor Lomnicki pointed out that all City Council and commission meetings are held under the Public Meetings Law.

Councilmember Kappa said he felt using the term public hearing would empower the commission.

Councilmember Trotter said he did not foresee the CUAC having the power to hold a public hearing. The members' roles are to provide technical expertise on rate structures and to encourage public involvement. The term public hearing denotes a legal decision-making process in which testimony is taken. This board does not have the authority to make those decisions.

Councilmember Kappa asked if the group had the right to hear comments from the public.

Councilmember Schreiber said all of the boards have this right, but it is not the same as a public hearing.

Councilmember Kappa said he felt people want to have some empowerment to direct how things are done in their city. The CUAC deals with the basic infrastructure; and if they have the ability to make strong recommendations based on public testimony, more credence is given to program implementation.

Councilmember Schreiber said the City Council should not abdicate its role.

Mayor Lomnicki asked if anywhere in the general ordinance the commissions were told they were there to listen to the public.

Councilmember Trotter suggested adding language to 2.10.040.F about the purpose of public involvement in discussions of issues relating to the board or commission.

Councilmember Kappa said he wanted it noted that there is a difference between public involvement and a public hearing. Whether it is a board or commission, it can solicit input from the neighborhood associations or the general public.

Bartlett said the CUAC was set up to be an expert review panel to provide technical expertise.

Mayor Lomnicki said we have stated that these meetings must adhere to the open meeting law. This does not mean the public has the right to speak. He suggested an audience participation section on each board and commission agenda.

Councilmember Kappa discussed section 2.11.020 -- Membership -- Qualifications. He felt the membership needed to be broader based and that there should be more citizen members-at-large.

Councilmember Trotter said, as he recalled, it was to be a business advisory group when originally established. He suggested three members be citizens-at-large.

Mayor Lomnicki agreed that the original intent was to have representation from the business community.

Councilmember Schreiber said this group needs to work with data and to have broad representation. It must give the City Council clear data for decision making.

Bartlett said originally some people felt that staff was overstating its cost estimates, and representatives from the public were appointed to look at these figures.

Mayor Lomnicki said the term used is “desirable”; it does not say “must.”

Councilmember Trotter said he had no problem with a generalized statement because it states that City Council will appoint those who they feel have indicated a certain knowledge and financial skills.

Bartlett pointed out the Ordinance states that two members “shall” be citizens-at-large.

Councilmember Schreiber said she believed it was important to have members with fiscal knowledge and skills.

Councilmember Kappa suggested three members who represent general interests and four citizens-at-large.

Councilmember Trotter said he felt there should be technical expertise in the group.

The group reached consensus that four members be representatives of general interests and three members be citizens-at-large. They also agreed to change “desirable” to “beneficial.”

Councilmember Trotter discussed changing the second sentence of section 2.11.010 to read “The board shall be responsible for but not limited to the following activities:” ; and removing “in support of the City Vision and the Council Goals.” He also recommended changing 2.11.010.A-D from “to review” to “reviewing” and so on.

Park and Recreation Commission (PARC)

Mayor Lomnicki recommended adding some conformity throughout the ordinances in the first sentence of the purpose statement. He did not want the Park and Recreation Commission to make an advisory statement to the Planning Commission on parks, but it should be a resource to the Planning Commission by reiterating policy. He felt advisory means to give an opinion, and he was concerned there might be a conflict if the Park and Recreation Commission has a conflict with the City Council about parks issues.

Councilmember Schreiber said she did not like the reference to being advisory to another body.

Councilmember Trotter said PARC is the only one that addressed being advisory to another board or commission.

Mayor Lomnicki said his philosophy was that the board should advise City Council and provide input to staff by acting as the eyes and ears of the community. The boards do not actually advise staff as much as they give staff information.

Councilmember Trotter said on the Park and Recreation Commission, Traffic Safety Commission, and Center/Community Advisory Board all refer in the purpose statement to advising City Council and staff. He felt it was already standard.

Mayor Lomnicki said we want to make it clear that the boards are advising the City Council. He suggested adding to the purpose statement “advising the City Council and making recommendations providing input to staff and other boards and commissions.”

Councilmember Schreiber said she would like to make 2.12.010.F as “A” because it relates to the needs of people. After needs are surveyed, then park siting can be determined.

The group agreed to change section 2.12.010.F to 2.12.010.A.

Mayor Lomnicki said he would like to remove reference to the commission acting in an advisory capacity to the Planning Commission.

Councilmember Trotter said there are times when the Planning Commission considers potential park lands and looks to the Park and Recreation Commission for comments. He felt using the word “comment” would clarify the issue.

Mayor Lomnicki said this would mean looking at an issue and making comments based on policy or standards in that area.

Councilmember Trotter suggested adding this reference to the general ordinance regarding comments to other boards and commissions or departments.

The group agreed to delete “and Planning Commission” from section 2.12.010.A.

Richards suggested modifying section 2.12.010.C to read “to ensure the development of a master plan for each park site.”

The group agreed to delete 2.12.010.G and add a reference to the general ordinance about providing comments to other boards or commissions and staff.

Councilmember Trotter said he felt the commission ordinance should contain reference to addressing park maintenance standards.

Mayor Lomnicki suggested a section such as “establish, review, monitor, and advise the City Council on maintenance standards of City parks.”

Councilmember Schreiber suggested deleting the second paragraph of section 2.12.020 because it was redundant.

Planning Commission

Councilmember Schreiber felt the number of duties might be too great a job for the Planning Commission. **Councilmember Trotter** said this could be addressed when the work plans are prepared. It may be that a task force needs to be formed.

Bartlett said the Traffic Safety Commission might be given responsibility for 2.16.010.D.1.

Councilmember Trotter said parking ordinances need to be under the Planning Commission.

Councilmember Schreiber asked if the Planning Commission should be focused primarily on land use.

Councilmember Trotter said that is why City Council has been discussing making some transportation matters the responsibility of the Traffic Safety Commission.

Councilmember Kappa asked the others if they felt the commission needed to be expanded so it could handle all of the work. The group did not think the membership should be increased.

The group agreed to delete “and other public authorities” from section 2.16.010.D.

Councilmember Trotter commented that occasionally the Planning Commission is asked to comment on land use applications that come before the County.

Bartlett discussed the UGMA agreement and City review of County Comprehensive Plan amendments.

Mayor Lomnicki recommended deleting sections 2.16.010.F.1-4.

Councilmember Kappa said these could be some of the duties if City Council decided the form new committees.

Councilmember Trotter commented that the Planning Commission gets a lot of input from the business community.

The group agreed to delete 2.16.010.G.

Historic Review Commission

Councilmember Kappa discussed the Goal 5 duties. He said it did not seem this commission had very much work to do, and maybe the members could take on more responsibilities.

Councilmember Trotter said this group is very specialized with a narrow focus of responsibility. He added that the duties could be effectively addressed in a work plan.

Center/Community Advisory Board

Councilmember Schreiber said she did not feel the City Council was getting the community advisory element from this board.

Councilmember Trotter said he sees this group as looking after the City's interests as the owner of the Milwaukie Center.

Richards said the C/CAB advises the Center Director.

Bartlett reviewed the history of the advisory board and how many times it has undergone a change in focus. He suggested dropping the community piece and let the board focus on what has always been its main purpose. The neighborhood service model is really replacing this function.

The group agreed to rename the Center/Community Advisory Board to the Center Advisory Board.

Councilmember Schreiber said she would like the board to review the functioning of the building with the City Council and agreed this should be in the board's work plan.

Councilmember Trotter said we can expand upon that when the work plan and annual report is prepared for the City Council.

Councilmember Schreiber said she would like to see those nine members meet quarterly to prepare their work plan.

Richards said she was concerned that the non-City resident members have the same feeling of affiliation with the City as the City Council appointed members. She said she thought the 18-member group wanted a feeling of cohesion.

Mayor Lomnicki said the board would still advise the City Council.

Richards agreed to draft some language and address the needs of the frail and elderly.

Traffic Safety Commission

Councilmember Kappa said he did not think the name of the Traffic Safety Commission should be changed.

Councilmember Trotter and **Mayor Lomnicki** did not feel the group had the authority to bind the City.

Bartlett said a lot of what the Traffic Safety Commission is doing are administrative duties. He reviewed MMC Chapter 10 -- Vehicles and Traffic. He thought traffic device requests were considered within a bureaucratic, time-consuming framework. He felt that, in some cases, staff could be more responsive than the commission.

Councilmember Trotter said we are already adding to their list of things to do. The commission members spend so much of their time on traffic control or other administrative issues, they do not have time to address policy issues. He felt they should focus more time on considering policy matters.

Bartlett said he felt the Traffic Safety Commission should be looking at such things as bicycle and child safety and speed control.

Councilmember Trotter said one year ago City Council asked the commission to do a study on school safety, and soon they will have missed the entire school year. The City Council believed this was a priority item. He felt this was more important than discussing a stop sign at an intersection.

Councilmember Kappa said the commission is actively engaged in these programs. The members were already working on a grant program when the City Council gave direction on the school safety program. He did not agree that the commission was not being productive. He added that the neighborhood districts relate to taking their concerns and problems to the Traffic Safety Commission.

Bartlett said several members of the commission show more concern for administrative projects than for community projects. He felt there were problems with productivity and keeping the group focused.

Councilmember Schreiber said she thought the people were able members who were perhaps not making the best use of their skills.

Councilmember Kappa said he felt the group has done an excellent job. He proposed that the group continue as a commission that addresses traffic and transportation.

Councilmember Trotter did not agree that, according to the standards City Council has discussed, the group functioned as a commission.

The group discussed renaming the Traffic Safety Commission as the Transportation Safety Board.

Mayor Lomnicki suggested changing “sphere of influence” in section 2.24.010, first paragraph, to “urban growth boundary.”

Councilmember Trotter suggested making section 2.24.010.G into section 2.24.010.A; making 2.24.010.E into 2.24.010.B; deleting “official” in section 2.24.010.A (old); and making “encouraging public acceptance of transportation safety program as 2.24.010.C.

The group agreed to delete 2.24.010.A (old); amend 2.24.010.C to read “fostering public knowledge and support of traffic law enforcement programs”; and to change “problems” to “solutions.”

Councilmember Trotter suggested having one section refer to traffic laws and another section that refers to identifying traffic problems and investigating solutions.

The group agreed to make these sections 2.24.010.C & D.

Councilmember Trotter said he felt the meaning of 2.24.010.F (old) was unclear. The City Council discussed the role of the Transportation Safety Board in support of the Transportation Systems Plan.

The group agreed to delete 2.24.010.H regarding grant applications and make it a part of each individual work plan.

Councilmember Trotter proposed that the two board members appointed by the school district be ex officio members. In this case, there would be seven voting members and two ex officio members.

The group agreed on this proposal and that three voting members could be non-residents.

Councilmember Schreiber suggested encouraging residents within the UGMA as members to represent that area outside the City limits.

Bartlett recommended appointing some residents from the LaSalle area.

The group agreed to delete being a licensed driver as a desirable quality of the applicant.

Bartlett discussed the reasons for deleting sections 2.24.030 and .040.

The City Council discussed the importance of distributing the state manual outlining ethics and governmental practices to all board and commission members.

Library Board

Richards pointed out that the Library Board does get involved with advising staff on certain issues such as acquisitions. Language could be added that the board reviews and comments. She added that library staff uses the Library Board as a focus group.

Bartlett discussed some of the long-range library service proposals for the area. All of the library boards in the network will meet to review and comment on the future of the libraries.

Councilmember Schreiber suggested adding a section on program needs.

Councilmember Trotter asked why the group was limited to five members. He suggested having representatives from the UGMA and working with the school district.

The group agreed to increase the number of Library Board members to seven and encourage three non-resident members.

Additional Commissions

Councilmember Trotter proposed that City Council get feedback from the existing boards and commissions before establishing additional advisory groups.

Bartlett commented that by the end of the month the Neighborhood Services Program should have a work program developed. A business committee could evolve from that.

The group discussed future meeting dates and determined these meeting dates:

1. January 23 -- 4:00 p.m.
Purpose: review final ordinance drafts and set out preliminary plan for meeting with boards and commissions
2. January 30 -- 6:00 p.m.
Purpose: finalize plans to meet with boards and commissions to discuss work plans

Councilmember Trotter said it should be made clear to commissioners and board members that these will be work sessions for input and no decisions will be made.

Clackamas Town Center Vision Work Session with Happy Valley and Clackamas County Board of Commissioners

Mayor Lomnicki said the purpose of the meeting was to look at what is happening within our Urban Growth Boundary.

Bartlett said the Mayor would do the City's Vision presentation. We want to talk about our participation in the Town Center piece. The area does not have a clear density, housing, and industrial requirements. It is very difficult to carry out planning. On January 31, the Milwaukie City Council will sit with the Board of Commissioners and Happy Valley Council to hear staff presentations.

Mayor Lomnicki said he thought the two regional centers are supposed to be complementary.

Bartlett commented he felt this is just what the Milwaukie City Council needs to tell them to focus on in the planning process.

Councilmember Schreiber said County staff has not addressed Happy Valley and Milwaukie.

Mayor Lomnicki said he understands the County wants to create a new city, and that is not complementary to what Milwaukie wants to do. There should be an identifiable civic center.

Councilmember Schreiber commented that she did not believe the property owners were very involved.

Bartlett noted the point of the work session is to look at how well things fit together.

Mayor Lomnicki asked how much authority the City of Milwaukie has within its Urban Growth Boundary although it is unincorporated Clackamas County.

Bartlett indicated that some County Commissioners made promises that cities would have more authority in unincorporated areas than they previously had. In dual interest areas, cities will be able to take a more active role. He felt the City Councils could impact the implementation portion of the Town Center Plan. He added that Collins has a list of issues that need to be addressed before the Plan is adopted.

Councilmember Kappa asked about the political reality of the amount of tax dollars generated and if Milwaukie would annex out there someday.

Mayor Lomnicki said it looks very positive, but until the County gives up complete planning authority, it will not happen very quickly. SB 122 and other laws prevent them from forming a new city.

Councilmember Schreiber said the County's expenses are very high for development of their new plan. Other county residents will not want to see it happen.

Mayor Lomnicki commented on the amount of money that will be freed up when the Town Center goes off TIF. There will be funds to help provide services and infrastructure in that area. Annexation is very expensive, and tax money is currently trapped with the Town Center.

Bartlett said one track of the action plan is to revisit the urban renewal plan to make of list of projects to be implemented from 1998 and beyond. As long as the area is under the \$10 cap, the County can continue to continue the urban renewal plan. One of the reasons Milwaukie needs to be involved is the Town Center TIF.

Mayor Lomnicki said we have not even addressed the citizens in the urban growth area to explain the benefits of annexing to the City of Milwaukie. He commented on the need to talk to the business community also.

Councilmember Schreiber said Metro is working on needed infrastructure improvements without the governance issue.

Mayor Lomnicki said the County Commissioners will have to buy into the fact the City of Milwaukie will be the government, and the County will get out of providing urban services. If tax funds are freed, then the service level will rise accordingly. We cannot advance any of our primary service, but Milwaukie can offer participatory government.

Bartlett discussed the district court system in relationship to the Town Center.

Councilmember Kappa said he felt the City could offer better police service than the sheriff.

Bartlett commented that the sheriff currently has a reporting office in the Town Center.

Mayor Lomnicki said he wanted to develop an annexation strategy for an area with high infrastructure needs. He added the City Council probably would not get citizen support to pay for improvements in annexed areas.

The work session was adjourned at 10:15 p.m.

Pat DuVal, City Recorder